

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MONTEREY BAY MILITARY HOUSING, LLC, et al.,

Plaintiffs,

-v-

AMBAC ASSURANCE CORPORATION, et al.,

Defendants.

CIVIL ACTION NO.: 19 Civ. 9193 (PGG) (SLC)

ORDER

SARAH L. CAVE, United States Magistrate Judge.

Pursuant to the discovery conference held today, November 14, 2022 (the “Conference”), the Court orders as follows:

1. For the reasons stated on the record during the Conference, Plaintiffs’ motion to compel the Jefferies Defendants’ production of documents relating to the 2014 Non-Prosecution Agreement (ECF No. 491) is DENIED.
2. By **Friday, November 18, 2022**, Plaintiffs shall provide Defendants with a list of the attorneys’ names that appear on the privilege log(s) for the unclean hands documents (the “Unclean Hands Privilege Logs”). (ECF No. 518 at 3). Plaintiffs shall ascertain the accessibility of the documents reflected on the Unclean Hands Privilege Logs, and the parties shall meet and confer regarding which documents Defendants continue to seek.
3. By **Tuesday, November 29, 2022**, the parties shall jointly file the privilege logs reflecting Plaintiffs’ assertion of the common interest privilege (the “Common Interest Privilege Logs”) and a list of the 30 mutually-agreed exemplars, or alternatively, fifteen exemplars each, for in camera review. The Court will email counsel with instructions

for submitting the exemplars from the Common Interest Privilege Logs through the Court's file-share system.

4. By **Tuesday, November 29, 2022**, Defendants shall file a letter regarding the Common Interest Privilege Log issues (the "Privilege Log Letter"). By **Tuesday, December 6, 2022**, Plaintiffs shall file their response to the Privilege Log Letter. By **Friday, December 9, 2022**, Defendants shall file their reply. The letters shall not exceed five pages.
5. An in person status conference is scheduled **Monday, December 19, 2022 at 2:00 p.m.** in Courtroom 18A, 500 Pearl Street, New York, New York (the "December Conference"). By **5:00 pm on Wednesday, December 14, 2022**, any party wishing to do so may file a letter of no longer than three (3) pages listing discovery disputes requiring the Court's attention during the December Conference (the "Pre-Conference Letters"). Responses will not be permitted.
6. In anticipation of the December Conference, the parties shall meet and confer regarding (i) the nine topics set forth in Defendants' Rule 30(b)(6) notices (i.e., topics 5, 9, 17, 19, 48, 54–57), and (ii) extensions to the discovery deadline. To the extent the parties disagree, the parties may include those contentions in the Pre-Conference Letters.
7. The parties shall order a Transcript of the Conference and file it on the docket prior to the December Conference.
8. The Clerk of Court is respectfully directed to close ECF No. 491.

Dated: New York, New York
November 14, 2022

SO ORDERED.


SARAH L. CAVE
United States Magistrate Judge